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December 1, 2005

Secretary
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

**RE: JOINT REPLY COMMENTS BY 304 PARTIES IN DOCKET RM-11287
(LOW POWER AM)**

Dear FCC Commissioners and Commission Staff:

I am Don Schellhardt, Esquire, President Emeritus of THE AMHERST ALLIANCE
and one of the parties to the Low Power AM Petition in Docket RM-11287.

I am filing these Reply Comments on behalf of 304 parties, who include the following:

THE MICHIGAN MUSIC IS WORLD CLASS! CAMPAIGN (MMWC)
BISHOP THOMAS J. GUMBLETON OF
THE ROMAN CATHOLIC ARCHDIOCESE OF DETROIT
THE AMHERST ALLIANCE of Michigan
THE GREEN PARTY OF MICHIGAN
STATE REPRESENTATIVE FRED PORTER of Michigan
MAYOR ROBERT G. FOSTER of Ferndale, Michigan
THE PROGRESSIVE MICHIGAN COALITION

The 304 signatories of these Reply Comments can be classified into 3 basic groups:

225 parties located within Michigan
75 parties located in other parts of the United States
4 parties located in other countries

To expedite the filing of these Reply Comments, the *initial* list of commenters has been limited to the 7 parties listed above. The remaining 297 names

and mailing addresses will be submitted in a future ADDENDUM to today's filing.

Sincerely,

Don Schellhardt, Esquire

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In The Matter Of:)	
)	
Creation Of A)	FCC Docket No. RM-11287
Low Power AM Radio Service)	

JOINT REPLY COMMENTS OF
THE MICHIGAN MUSIC IS WORLD CLASS! CAMPAIGN,
BISHOP THOMAS J. GUMBLETON OF
THE
ROMAN CATHOLIC ARCHDIOCESE OF DETROIT,
THE AMHERST ALLIANCE
AND
301 OTHER PARTIES

TO
THE WRITTEN COMMENTS OF
BOOTH, FRERET, IMLAY & TEPPER, P.C.
AND
ALASKA BROADCASTERS ASSOCIATION ET AL.

THE MICHIGAN MUSIC IS WORLD CLASS! CAMPAIGN (MMWC) is a citizens' advocacy group, striving to achieve public airwaves which are more open to airing *local* artists and performers -- as well as more focused on *community coverage* in On Air news and features. As one crucial step toward this goal, MMWC has become one of 5 signatories of the August 19, 2005 Petition For Rulemaking to establish a new Low Power AM (LPAM)

Radio Service. While MMWC focuses on the Great Lakes Region, we are also the affiliate of another Petitioner, THE AMHERST ALLIANCE, which has a national Membership.

MMWC, acting in concert with the 303 other parties to these Reply Comments, commends the Commission heartily for its decision to initiate Docket RM-11287.

We also challenge, vigorously, the claim by some commenters that the Petitioners, and commenters supporting them, have not demonstrated a need for LPAM.

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Written Comments filed by the suburban Washington law firm of BOOTH, FRERET, IMLAY & TEPPER, P.C., as well as Written Comments filed by 3 State broadcaster associations in ALASKA BROADCASTERS ASSOCIATION ET AL., are notable for making this assertion.

In fact, however, the need for action to establish the LPAM Radio Service is obvious. Indeed, we urge the Commission to move toward the proposed rule stage, and then to a final rule, as expeditiously as it reasonably can.

Expeditious action to establish LPAM is needed for at least 3 compelling reasons:

(1) In some (largely urban) areas where the FM Band is completely congested, Low Power Radio on the AM Band is the *only* way that *any* Low Power Radio stations can be licensed *at all*.

Metropolitan Detroit, where MMWC is located, is one of those areas. A December 2003 study by REC NETWORKS, which was submitted to the Commission in Docket RM-10803 (now Docket 04-233), revealed that even Congressional legislation to repeal the current adjacent channel spacing restrictions would not open *any* new LP100 frequencies on the FM Band.

REC NETWORKS found that Commission action on the long-promised “filing window” for LP10 licenses *might* open *one* frequency for a local Low Power Radio station on the FM Band. By contrast, *3 or 4* frequencies could be open on the AM Band.

Metropolitan Boston, and certain other large metropolitan areas, appear to be in the same situation as Metropolitan Detroit. In these areas, *only* Low Power AM can establish *any* presence for Low Power Radio stations on the local radio dial.

Other urban areas, such as Metropolitan Providence, are only slightly better off. They have only a single LP100 frequency available. Without LPAM stations, ideally supplemented by LP10 stations on the FM Band, Low Power Radio will have only a *nominal* presence in areas such as Metropolitan Providence.

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If Low Power Radio is a good idea, as the Commission concluded in 2000, *then* a way must be found to let the cities in on it.

Low Power AM, supplemented by the promised “filing window” for LP10 licenses on the FM Band, seems to be the *only* way to Let The Cities In.

- (2) Outside of those areas with a highly congested FM Band, a number of

LP100 stations may be able to find (or have already found) a place on the FM airwaves.

However, the *programming choices* offered by these Low Power Radio stations are presently much more limited than they have to be. In accordance with the FCC's own regulations, as promulgated in 2000, Low Power FM licenses are directed toward non-profit organizations with an *established* record of community service.

Unless the fundamental tenets of the Low Power *FM* Radio Service are re-opened for re-examination, Low Power AM is the *only* way that Low Power Radio licenses can be made available to individuals and newcomer organizations.

If the Commission wants to bring new programming choices to the radio listeners of America, *then* the continued discouragement of new entities makes no sense.

New *programming* is most likely to come from *newcomers*.

LPAM, unlike LPFM, can be a place where new voices are truly welcome.

(3) Since the Commission has chosen to reserve *100%* of all Low Power FM licenses for non-commercial broadcasting, Low Power AM is *also* the only way that *any* Low Power Radio station, in *any* location, will ever be able to air commercials.

Without the ability to air commercials, most or all LPAM stations will find it much more difficult to become financially self-supporting. At the same time, local retailers will *continue* to find radio advertising much less affordable than it used to be.

The 304 undersigned parties are aware, of course, that reasonable people can honorably disagree over some details of the August 19 LPAM Petition.

Still, the FCC is free to modify any details of the LPAM Petition, or even to draft its own proposal “from scratch”, during the proposed rule stage of these proceedings -- and, again, during its deliberations on drafting a *final* rule. For now, the most important question is whether the *idea* of a Low Power AM Radio Service is worth pursuing.

To this question, the undersigned parties answer with a resounding “YES!”

All 304 of us urge the Federal Communications Commission to *keep the process moving* toward a proposed rule -- and then a final rule. There is plenty of time to debate the details as the regulatory process unfolds. However, we will never have those *debates in the future* unless the FCC takes *action now*.

Respectfully submitted,

Stephanie Loveless
President
THE MICHIGAN MUSIC IS WORLD CLASS! CAMPAIGN
And
President

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The names and mailing addresses of 297 other signatories of these Joint Reply Comments will be submitted to the Commission, in Docket RM-11287, through a forthcoming ADDENDUM to these Joint Reply Comments.

Dated: December 1, 2005

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I hereby certify that a copy of these Joint Reply Comments is being sent to each of the following parties:

Christopher D. Imlay, Esquire
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Donald Joseph Schellhardt, Esquire
1, 2005

December